

Appln No. 09/383,114
Amdt date June 3, 2004
Reply to Office action of 03/05/2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) A method for treating a patient with carcinoma comprising intravenous administration of a solution of Rhodamine-123 in ethyl alcohol and water in an amount sufficient to effect *in vivo* destruction of prostate cancer cells.

2. (Original) A method for treating a patient with prostate cancer and having a PSA level above about 5, the method comprising measuring the PSA level in the blood of the patient, administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of prostate cancer cells, and thereafter measuring the patient's PSA level to confirm the destruction of prostate cancer cells in the patient.

3. (Currently Amended) [[A]] The method according to claim 2 which includes the step of measuring the patient's PSA level before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease the level of PSA in the blood of the patient.

4. (Currently Amended) [[A]] The method according to claim 1, 2 or 3 which includes injecting the patient with about 250 ml of a solution containing Rhodamine-123.

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5. (Currently Amended) [[A]] The method according to claim 1, 2, or 3 in which the administration of Rhodamine-123 is completed within about four hours.

6. (Currently Amended) [[A]] The method according to claim 1, 2, or 3 in which the patient is treated with up to about 30 mg Rhodamine-123 per kg of body weight every other day.

7. (Currently Amended) [[A]] The method according to claim 1, 2, or 3 in which the patient is treated with between about 0.2 and about 15 mg of Rhodamine-123 per kg of patient body weight.

8. (Currently Amended) [[A]] The method according to claim 1, 2, or 3 in which the patient is administered the solution of Rhodamine-123 at intervals of at least 24 hours, and in increasing amounts until the patient exhibits evidence of toxicity due to the Rhodamine-123, and thereafter administering Rhodamine-123 to the patient in an amount and at a rate less than that which causes toxicity.

9. (Previously Presented) A solution for treating a patient with carcinoma, the solution comprising ethyl alcohol and an effective amount of Rhodamine-123 dissolved in water.

10. (Currently Amended) [[A]] The solution according to claim 9 which includes dissolved sugar susceptible to metabolic assimilation.

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11. (Currently Amended) [[A]] The solution according to claim 10 in which the sugar is selected from the group consisting of dextrose, glucose, and fructose.

12. (Currently Amended) [[A]] The solution according to claim 10 or 11 in which the sugar is present by an amount equal to about 5% by weight.

13. (Currently Amended) [[A]] The solution according to claim 9, 10, or 11 in which the ethyl alcohol is present in an amount between about 0.2% and about 5% by volume.

14. (Previously Presented) A stock solution for preparing an administration solution for treating carcinoma, the stock solution comprising Rhodamine-123 dissolved in ethyl alcohol.

15. (Currently Amended) [[A]] The stock solution according to claim 14 in which the solution contains about 95% ethyl alcohol by volume and about 5% sterile water by volume.

16. (Currently Amended) [[A]] The solution according to claim 14 or 15 in which the Rhodamine-123 is present in an amount between about 4 and about 25 mg/ml of solution.

17. (Original) A method for treating a patient with prostate cancer and having a PSA level above about 5, the method comprising oral administration of Rhodamine-123 in a pill which releases the Rhodamine-123 for absorption by the patient, and in an amount sufficient to effect *in vivo* destruction of prostate cancer cells in the patient, measuring the patient's PSA level after treatment, and thereafter administering Rhodamine-123 to

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the patient at a rate sufficient to substantially decrease the patient's PSA level.

18. (Currently Amended) [[A]] The method according to claim 17 in which the pill releases between about 0.2 and about 30 mg of Rhodamine-123 per kg of patient body weight.

19. (Currently Amended) [[A]] The method according to claim 17 or 18 in which the Rhodamine-123 is released within between about 2 and about 24 hours.

20. (Previously Presented) A method for prolonging human life of a patient with carcinoma, the method comprising treating the patient by dissolving Rhodamine-123 in a solvent which includes ethyl alcohol to form a stock solution, diluting the stock solution with water to form a treatment solution which includes Rhodamine-123, water and ethyl alcohol, and administering the treatment solution to the patient in an amount sufficient to effect *in vivo* destruction of carcinoma cells.

21. (Currently Amended) [[A]] The method according to claim 20 which includes the step of measuring the patient's PSA level before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease the level of PSA in the blood of the patient.

22. (Currently Amended) [[A]] The method according to claim 20 or 21 which includes injecting the treatment solution intravenously.

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23. (Currently Amended) [[A]] The method according to claim 20 or 21 in which the stock solution contains between about 4 and about 25 mg of Rhodamine-123 per liter.

24. (Currently Amended) [[A]] The method according to claims 20 or 21 in which the treatment solution contains between about 0.2% and about 5% ethyl alcohol by volume.

25. (Original) A method for treating a patient with prostate cancer and having a PSA level above about 5, the method comprising measuring the prostate specific acid phosphatase level in the blood of the patient, administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of prostate cancer cells, and thereafter measuring the patient's prostate specific acid phosphatase level to confirm the destruction of prostate cancer cells in the patient.

26. (Currently Amended) [[A]] The method according to claim 25 which includes the step of measuring the patient's prostate specific acid phosphatase level before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease the level of prostate specific acid phosphatase in the blood of the patient.

27. (Original) A method for treating a patient with prostate cancer comprising dissolving Rhodamine-123 in a solvent which includes ethyl alcohol to form a stock solution, diluting the stock with water to form a treatment solution which includes Rhodamine-123, water and ethyl alcohol, administering the treatment solution to the patient in an amount sufficient to

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effect *in vivo* destruction of prostate cancer cells, measuring the patient's prostate specific acid phosphatase level before and after treatment, and administering sufficient Rhodamine-123 to substantially decrease the level of prostate specific acid phosphatase in the blood of the patient.

28. (Currently Amended) [[A]] The method for prolonging human life of a patient with carcinoma, the method comprising intravenous administration of a solution of Rhodamine-123 in ethyl alcohol and water in an amount sufficient to effect *in vivo* destruction of carcinoma cells.

29. (Previously Presented) A method for prolonging human life of a patient with carcinoma, the method comprising administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of carcinoma cells.

30. (Previously Presented) A method for treating a patient with prostate cancer, the method comprising administering Rhodamine-123 to the patient in an amount sufficient to effect *in vivo* destruction of prostate cancer cells.